

FIRST REGULAR SESSION

HOUSE BILL NO. 496

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES PFAUTSCH (Sponsor), NORR, MOLENDORP, SOLON, LAUER,
WHITE, GATSCHENBERGER, LANT, HAEFNER, HOUGHTON, REIBOLDT, ELLINGER, HANSEN,
MCGAUGH AND GANNON (Co-sponsors).

1287L.02I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 407, RSMo, by adding thereto one new section relating to the imposition of surcharges on credit card transactions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 407, RSMo, is amended by adding thereto one new section, to be known as section 407.1625, to read as follows:

407.1625. 1. Except as provided in sections 32.063, 52.250, 137.115, and 139.055, or any other state agency or department, county, utility provider, local governmental entity, or other governmental entity that accepts a credit or charge card for the payment of fees, taxes, or other charges, no merchant or lessor in any sales or lease transaction or any company issuing credit or charge cards shall impose a surcharge on a holder who elects to use a credit or charge card in lieu of payment by cash, check, or similar means. A surcharge is any additional amount imposed at the time of the sales or lease transaction by the merchant or lessor that increases the charge to the buyer or lessee for the privilege of using a credit or charge card. For purposes of this section, charge card includes those cards under which unpaid balances are payable on demand.

2. A discount offered by a merchant or lessor for the purpose of inducing payment by cash, check, or other means not involving the use of a merchant or lender credit card shall not constitute a finance charge if such discount is offered to all prospective buyers and its availability is disclosed to all prospective buyers clearly and conspicuously in accordance with regulations of the administrator.

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EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.